

REMARKS

Favorable consideration and allowance are respectfully requested for claims 31-34, 36-38, 40-55, and 57-61 in view of the following remarks.

35 U.S.C. §103 Rejections

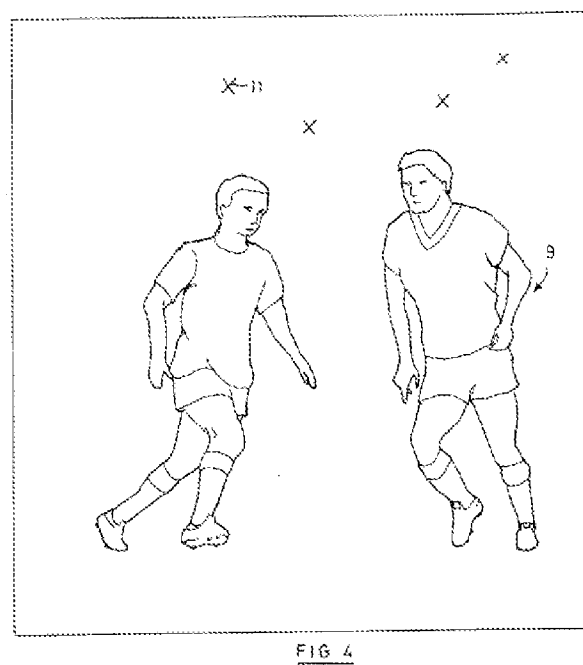
The rejection of claims 31-34, 36-38, 40-55, and 57-61 under 35 U.S.C. §103(a) over the proposed combination of Healy (GB 2,231,189) and Goldberg (US Patent No. 5,823,879) is respectfully traversed.

Independent claim 31 recites a method including, among other features:

- providing a set of coordinates associated with the game image, and
- receiving a location in the set of coordinates.

Neither of the cited references teaches or suggests a method that makes use of a set of coordinates.

The Office Action cites Healy, figures 3-5, pages 1-2 and page 6, paragraph 3 and figure 4 as relevant to the feature of a set of coordinates. None of these figures or the cited portions of the Healy specification make any mention of a set of coordinates. Representative figure 4 is reproduced below:



Rather than showing a set of coordinates, these figures merely show an image of two soccer players 9. Figure 3 adds a marker 10. Figure 4 includes certain indicium 11, and figure 5 shows both the marker 10 and indicium 11.

Nothing in the text on pages 1, 2, or 6, or for that matter, the rest of the Healy reference, makes any mention of the claimed set of coordinates. Similarly the Goldberg reference, offered as teaching security features, does not mention a set of coordinates.

Claim 31 further recites: **displaying an image of the missing object at a current location on the game image pointed to by a pointing device.**

Similarly, independent claim 53 recites: the game participant client configured to cause an **image of the missing object to be displayed** on the game image **in the location** currently **indicated by the pointing device.**

These claims include the feature that the player can use a pointing device to select a location. At that location, the game actually **displays the missing object.** In contrast, Healy does not display the missing object. Instead, Healy describes a game involving a missing ball and displays a marker 10 rather than the actual missing ball. Healy makes no mention of actually showing the missing ball in the display.

Claim 31 further recites: **receiving a location** in the set of coordinates **that corresponds to the current location on the game image of the image of the missing object** when the player's guess is indicated by the player.

Again, because Healy does not teach or suggest that the image of the missing object would ever be presented on the display, Healy necessarily cannot teach receiving a location corresponding to the location of the **image of the missing object.**

The secondary reference, Goldberg, does not teach any of these features that are described above and missing from Healy.

Thus, the references do not describe: (i) a set of coordinates or (ii) displaying an image of the missing object, as featured in the claims. As such, the proposed combination of references does not teach or suggest each and every feature of the claimed invention and reconsideration and withdrawal of this rejection are respectfully requested.

The following dependent claims are allowable for at least the additional reasons explained below.

Dependent claim 36 recites that the coordinates are a grid that corresponds to the pixel field of the game image. As discussed above, the references do not teach the use of coordinates. Further, the references do not teach that the coordinates are a grid corresponding to the pixel field of the game image.

Claim 37 depends from claim 36 recites adjusting the likelihood of a player winning the game by changing the fineness of the pixel field. The references do not teach such a feature. Moreover, the Office Action does not offer any discussion of the feature recited in claim 37.

Claims 41 and 52 recite displaying an image of the missing object. As discussed above, the cited references do not contemplate any display of the missing object.

Claim 44 recites adjusting the likelihood of the game being won by altering the predetermined distance. The cited references provide no indication to adjust a predetermined distance. The Office Action states that a game programmer would “be able to manipulate the processor [to control] the distance to increase or decrease the number of winners.” For purposes of determining obviousness, it is irrelevant whether or not a game programmer would be able to program a processor to perform the claimed feature. Instead, the relevant question is whether or not the cited reference teaches the claim feature. In the present instance, the answer to that question is no, as evidenced by the Office Action’s reliance on what a programmer would be able to do.

Claim 44 recites adjusting the likelihood of the game being won by altering the predetermined distance. The cited references provide no teaching of this feature.

Claim 45 recites adjusting the likelihood of the game being won by altering the fineness of the coordinate grid for the game image. As discussed above, the references do not teach a coordinate grid. Further, the references do not teach altering the fineness of the coordinate grid. The Office Action is silent as to how the references teach the features of this claim.

Claims 46-50 and 57-61 are all directed to features of a multi-player game. The Office Action suggests that figures 3-5 of Healy are relevant. However, Healy does not teach anything

other than a single player game. While Healy does contemplate a single player making multiple guesses, at no point does Healy suggest that multiple players might play the same game.

Accordingly, each of these dependent claims is allowable for these additional reasons and reconsideration and withdrawal of the rejection of these claims are respectfully requested.

CONCLUSION

In view of the foregoing, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Although this paper is believed to be timely filed, if necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 50-3211 (Docket No. 21204.0217C1).

Respectfully submitted,

Date: July 1, 2010

/Christopher T. McWhinney/
Christopher T. McWhinney
Reg. No. 42,875

Customer No. 44966
SULLIVAN & WORCESTER LLP
Telephone: (202) 775-1200
Facsimile: (202) 293-2275